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SPG
Paper Number #15

In re application of :
Jerome Melvin Klosowski et al. :
Serial No. 09/410,162 :
Filed: September 30, 1999 :
For: CONSERVATION OF ORGANIC AND INORGANIC :
MATERIALS :

DECISION ON
PETITION

This is a response to the RECONSIDERATION OF HOLDING OF ABANDONMENT filed October 10, 2003. The paper requests that the abandonment, as set forth in the Notice of Abandonment of October 16, 2003, be withdrawn since the applicants did timely file a response on August 5, 2003 by facsimile transmission to the USPTO. (A copy of the papers filed August 5, 2003 and a copy of the Facsimile Transmission Report indicating receipt of the facsimile transmission at the USPTO is attached to the instant petition.)

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's response was properly filed on August 5, 2003 by facsimile transmission as evidenced by the copy of the facsimile transmission report provided with the instant petition which indicates the successful transmission, to a USPTO facsimile telephone number (703-872-9311), of 7 pages. Therefore, the application was never in-fact abandoned and any holding of abandonment for failure to timely file a proper response to the Office letter mailed on July 22, 2003 is hereby vacated, and the application is returned to pending status.

The application shall be forwarded to the examiner for processing and consideration of the papers originally filed August 5, 2003 by facsimile transmission and a copy of which is provided as an attachment to the instant petition.

The Petition is GRANTED.

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